

Juan Tomasino
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:

MICHAEL G A ANDREW RUTLEDGE §	Case No. 23-60463
and CRYSTAL ST CLAIRE §	
Debtors §	Chapter 13
§	
§	

MOTION TO DISMISS DEBTOR MICHAEL RUTLEDGE ONLY
FROM CHAPTER 13 CASE

14-DAY NEGATIVE NOTICE - LBR 1017(b):

Your rights may be affected by the relief sought in this pleading. You should read this pleading carefully and discuss it with your attorney, if you have one in this bankruptcy case. If you oppose the relief sought by this pleading, you must file a written objection, explaining the factual and/or legal basis for opposing the relief.

No hearing will be conducted on this Motion unless a written objection is filed with the Clerk of the United States Bankruptcy Court and served upon the party filing this pleading **WITHIN FOURTEEN (14) DAYS FROM THE DATE OF SERVICE** shown in the certificate of service unless the Court shortens or extends the time for filing such objection. If no objection is timely served and filed, this pleading shall be deemed to be unopposed, and the Court may enter an order granting the relief sought. If an objection is filed and served in a timely manner, the Court will thereafter set a hearing with appropriate notice. If you fail to appear at the hearing, your objection may be stricken. The Court reserves the right to set a hearing on any matter.

TO THE HONORABLE JUDGE OF THIS COURT:

COMES NOW **MICHAEL G A ANDREW RUTLEDGE**, Debtor in the above-numbered and styled cause, who files this Motion to Dismiss Debtor Michael Rutledge ONLY From Chapter 13 case, and would respectfully show the Court as follows:

1. This Court has jurisdiction over this matter pursuant to 11 U.S.C. §105 and 28 U.S.C. §1334. This matter constitutes a core proceeding pursuant to 28 U.S.C. §157(b).

2. This case was commenced by the filing of a petition on 9/20/2023.

3. This case has not been converted under Section 706, 1112, or 1208.

4. Debtors have separated and are planning to divorce.

5. Debtor Michael Rutledge no longer wishes to continue with this Chapter 13 bankruptcy case because his income has decreased. In addition, establishing a new residence has resulted in an increase to his monthly expenses..

6. Debtor Crystal St. Claire wishes to continue with this Chapter 13 bankruptcy case in order to protect her home and vehicle.

WHEREFORE, PREMISES CONSIDERED, Debtor **Michael G A Andrew Rutledge** prays for the Court to enter an Order dismissing him from Debtors' Chapter 13 case while allowing Crystal St. Claire to continue with the Chapter 13 case.

Dated: March 6, 2024

Respectfully Submitted,

ALLMAND LAW FIRM, P.L.L.C.

/s/ Juan Tomasino

Juan Tomasino

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ATTORNEY FOR DEBTORS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 6, 2024, a true and correct copy of the foregoing was served on all parties in interest below and on the attached mailing matrix.

DEBTOR:

Crystal St. Claire
575 County Road 1917 Lot #5
Leesburg, TX 75451-0182

DEBTOR:

Michael Rutledge
426 N. Saline
Grand Saline, TX 75140

STANDING CHAPTER 13 TRUSTEE:

Lloyd Kraus
Plaza Tower
110 N. College Avenue
12th Floor
Tyler, TX 75702

U.S. TRUSTEE

110 North College Avenue, Suite 300
Tyler, Texas 75702

U.S. ATTORNEY

110 North College Avenue, Suite 700
Tyler, Texas 75702

By: /s/ Juan Tomasino
Juan Tomasino
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